

11 CV 6565

JS 44CSDNY  
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of indexing the civil docket sheet.

PLAINTIFFS

Securities Investor Protection Corporation

DEFENDANTS

Bernard L. Madoff Investment Securities, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

King & Spalding LLP, 1185 Ave. of the Americas, NY, NY  
10036 (212) 556-2100

ATTORNEYS (IF KNOWN)

Attorneys for Trustee: Baker Hostetler LLP  
45 Rockefeller Plaza, NY NY 10111 (212) 589-4200

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 158; appeal from decision and order of U.S. Bankruptcy Court

Has this or a similar case been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned ☐ See attachment ☐

If yes, was this case Vol ☐ Invol. ☐ Dismissed. No ☒ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY
REAL PROPERTY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY
REAL PROPERTY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY	PERSONAL INJURY

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☐ NO

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

JUDGE Cote DOCKET NUMBER 11cv5683

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1322, 1441)

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[ ]	[ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

King & Spalding LLP  
Richard A. Cirillo  
Joshua T. Edgemon  
1185 Avenue of the Americas  
New York, NY 10036 (NY County)  
(212) 556-2100  
Attorneys for Appellants National Bank of Kuwait, S.A.K.; NBK Banque Privée, (Suisse) S.A.; Lemanica SICAV-SIF; and Kookmin Bank

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Appellee: Irving H. Picard, as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC  
Baker & Hostetler, LLP  
45 Rockefeller Plaza  
New York, NY 10111 (NY County)

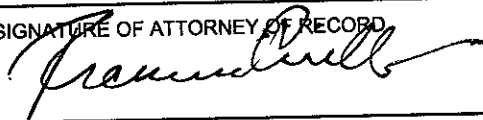
DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE 08/22/11

SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[x] YES (DATE ADMITTED Mo. March Yr. 1976)  
Attorney Bar Code # NY1260579

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)